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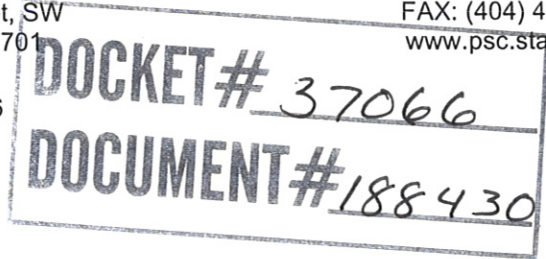
Georgia Public Service Commission

(404) 463-6526
(800) 282-5813

244 Washington Street, SW
Atlanta, GA 30334-5701

FAX: (404) 463-6532
www.psc.state.ga.us

Docket No. 37066



City of Lumpkin Gas Department
P. O. Box 278
Lumpkin, GA 31815

Certified Mail

Regular Mail

Email

Attention: Mr. David Davis

On October 19, 2021, a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an inspection of your gas system. The enclosed inspection report numbered JJ21-050 is provided for your information and file.

In conjunction with this inspection report, Staff has recommended the following enforcement(s):

Enforcement Action:

- Notice of Probable Violation
- Notice of Probable Violation with Proposed Civil Penalty
- Notice of Amendment

Enforcement Letter:

- Warning Letter
- Letter of Concern

Enforcement Notification:

- Observed Issue
- No Violation

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Actions, Enforcement Letters, and Notifications Issued by the Georgia Public Service Commission. Please refer to Docket No. 37066 in your response.

Please let me know if there are any questions concerning this report at (404) 463-6526 or michellet@psc.state.ga.us. Thank you for your continuing contribution toward increased pipeline safety.

Sincerely,

Michelle L. Thebert
Director, Office of Pipeline Safety/Facilities Protection

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JJ21-050

OPERATOR: City of Lumpkin Gas Department

INVESTIGATOR: Joe Jones

INSPECTION DATE: October 19, 2021 REPORT MAILED DATE: January 24, 2022

Any questions concerning this report may be directed to the above address or by telephoning (404) 463-6526.

1. PURPOSE OF INSPECTION

To conduct a comprehensive inspection of the Operators plans, programs, procedures, pipeline, and pipeline facilities for compliance with the minimum federal safety standards in 49CFR Parts 191 and 192.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.455	External corrosion control: Buried or submerged pipelines installed after July 31	LB10-047	5/4/2010
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JS18-001	1/23/2018

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
192.453	General.	JJ21-050	10/19/2021
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JJ21-050	10/19/2021
192.615(c)	Each operator shall establish and maintain liaison with appropriate fire, police, and other...	JJ21-050	10/19/2021
192.603(b)	Each operator shall keep records necessary to administer the procedures established under §192.605.	JJ21-050	10/19/2021
192.805(b)	Ensure through evaluation that individuals performing covered tasks are qualified.	JJ21-050	10/19/2021
192.181(b)	Each regulator station controlling the flow or pressure of gas in a distribution system must have...	JJ21-050	10/19/2021
192.467(c)	Except for unprotected copper inserted in a ferrous pipe, each pipeline must be electrically...	JJ21-050	10/19/2021
192.481(c)	If atmospheric corrosion is found during an inspection, the operator must provide protection...	JJ21-050	10/19/2021

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF LUMPKIN / COMPREHENSIVE INSPECTION
INSPECTION NUMBER JJ21-050 / DOCKET NUMBER 37066

From October 18, thru December 8, 2021 Staff reported to the City of Lumpkin Gas Department to perform a comprehensive inspection on the Operator's plans, procedures, programs, records and pipeline facilities for compliance with the minimum federal safety standards and conduct Protocol 9 OQ inspections for compliance with the minimum federal safety standards.

During this inspection the Operator was represented by:
David Davis – City Manager
Anne Holloway – City Clerk
Willie Clark – Gas Supervisor
Chris Welborn – Municipal Gas Authority (Consultant)
Bobby Boyd – City Services Inc. (Consultant / Contractor)
Mitch Whitfield - City Services Inc. (Consultant / Contractor)

Commission Staff was represented by:
Joseph Jones – Lead Inspector
Daphne Jones – Pipeline Safety Inspector
Kenny Rowe – Pipeline Safety Inspector
Jack Hewitt – Pipeline Safety Inspector
Jeff Baggett – Supervisor, Facilities Protection Unit

At the time of this inspection, the City of Lumpkin was under five (5) previously existing probable violation. Operator is currently negotiating a Consent Agreement with the Facilities Protection Unit Director. These violations will be addressed under Follow-Up Inspection Number JS21-022.

During this inspection Staff reviewed the City of Lumpkin written operations and maintenance procedures, records, and gas facilities for compliance with 49 CFR Parts 191 and 192, and the GPSC rules for safe operation of a natural gas distribution system. Staff reviewed the City of Lumpkin's Emergency Manual, the Operations and Maintenance Manual and the records for conducting regular operations on their gas system including the collection of field data required for the Operator's DIMP program. Staff also conducted field inspection of randomly selected pipeline field facilities located within the City of Lumpkin and Stewart County including leak repairs, pressure stations and pressure recording devices, right of way conditions, atmospheric corrosion control, odorant testing, and accessibility of critical valves.

NOTICE OF PROBABLE VIOLATION

As a result of this inspection Staff found that the City of Lumpkin was in probable violation of the minimum federal safety standards; specifically:

1. 49CFR, §192.467 - External corrosion control: Electrical isolation.
(c) External corrosion control: Electrical isolation: Except for unprotected copper inserted in a ferrous pipe, each pipeline must be electrically isolated from metallic casings that are a part of the underground system. However, if isolation is not achieved because it is impractical, other measures must be taken to minimize corrosion of the pipeline inside the casing.

COMMENTS: In Section 9, Item H (Page 9-10 of 20) of the Operators O&M it states "(c) Each pipeline will be electrically isolated from metallic casings that are a part of the underground system. However, if isolation is not achieved because it is impractical, other measures, including the examples listed below, will be taken to minimize corrosion of the pipeline inside the casing:"

Staff's review of the Operators CP survey records indicated that the casing at the North Cotton St railroad crossing was found to be in contact with the pipeline in CY's 2017 to 2021. The Operator could not demonstrate that any of the remedial actions required by their O&M procedures had been taken to address this condition.

PROBABLE VIOLATION: The City of Lumpkin failed to ensure that their pipeline was electrically isolated from a metallic casing as required by 49CFR 192.467(c), and their O&M manual.

2. 49CFR §192.805 - Qualification program.

Each operator shall have and follow a written qualification program. The program shall include provisions to:

(b) Ensure through evaluation that individuals performing covered task are qualified;

STAFFS COMMENTS: During this inspection (JJ20-050) Staff noted that the contract individual who has been performing the periodic odorization testing required by §192.625(f) had not been qualified under the City of Lumpkin's OQ program. There was also no evidence that the City of Lumpkin had reviewed the contractor's procedure, to ensure that they were consistent with their procedures; or that they had reviewed the individual's qualifications to determine if they were actually qualified to perform the task.

During this inspection Staff also performed three (3) OQ Protocol 9 inspections. While performing one of these evaluations Staff observed that a gas technician for City of Lumpkin failed to perform the task of Locating Underground Pipelines according to the City of Lumpkin's procedures. When Staff reviewed the individuals covered task listing they found that this individual has been qualified on this task on October 11, 2021. This same individual was also qualified for an additional 12 covered tasks on the same day. All of these qualifications and evaluations were completed by the Operators consultant/contractor.

Staff advised the Operator that 1) all of the periodic odorization sampling that had been conducted by personnel who were not qualified under their OQ program were suspect, and 2) the qualifications for their gas technician were suspect because of the number of tasks that were supposedly evaluated and qualified on a single day.

PROBABLE VIOLATION: The City of Lumpkin failed to ensure that the personnel who are performing covered tasks on their system are qualified to do so.

3. 49CFR, §192.603 General provisions

(b) Each operator shall keep records necessary to administer the procedures established under §192.605.

STAFFS COMMENTS: During this inspection, Staff reviewed documentation for two (2) leaks which were recorded as being graded as Grade 1 leaks. The Operator advised that these leaks had been repaired by their contractor, but they could not produce work orders documenting the repair of these leaks. Staff performed a field review of these leaks with the Operators personnel and noted that they did not detect gas at either of the locations.

Staff also noted that the City of Lumpkin's procedure for patrolling is in Section 13, Item L, Page 13-7 of their Operations and Maintenance Procedures Manual. This procedure parrots the code and states that the identification of mains for patrolling is in Appendix V-4 of their procedures manual. The Operator could not provide documentation as required by Appendix V-6 of their procedures which

demonstrated that they had performed their patrolling as required. The City of Lumpkin could not demonstrate that they performed patrolling of their distribution system for CY's 2016 through 2021 as required by §192.721 and their procedures.

PROBABLE VIOLATION: The City of Lumpkin failed to maintain records to demonstrate their compliance with the minimum federal safety standards.

4. §192.605; Procedural manual for operations, maintenance, and emergencies.
 - (a) Each operator shall prepare and follow for each pipeline, a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. This manual must be prepared before operations of a pipeline system commence. Appropriate parts of the manual must be kept at locations where operations and maintenance activities are conducted.
 - a. CODE REFERENCE: 49CFR, §192.707 Line markers for mains and transmission lines.
 - (a) Buried pipelines. Except as provided in paragraph (b) of this section, a line marker must be placed and maintained as close as practical over each buried main and transmission line:
 - (1) At each crossing of a public road and railroad; and
 - (2) Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

STAFFS COMMENTS: In the City of Lumpkin Operations and Maintenance Procedures manual, Section 13, Item E – Line Markers for Main, Page 13-3 of 20; it states: “A line marker must be placed as close as practical over each buried main and transmission line including each crossing of a public road and railroad and wherever necessary to identify the location of the pipeline to reduce the possibility of damage or interference.”

During field inspection, Staff observed that the Operator has not placed pipeline markers at public road crossings throughout most of their system; examples include, Highway 27 at Broad Street, and James Holder Road where the pipeline crosses the highway going to the Stewart County Correctional Center.

PROBABLE VIOLATION: The City of Lumpkin failed to install and maintain pipeline markers as required under Part 192.707(a)(1) and their O&M procedures.

- b. CODE REFERENCE: 49CFR, §192.481 Atmospheric Corrosion Control: Monitoring
 - (c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by §192.479.

STAFFS COMMENTS: In the City of Lumpkin Operations and Maintenance Procedures manual it states in Section 9 O. Atmospheric Corrosion Control: General [§192.479] (a) City of Lumpkin will clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere.

During this inspection Staff noted that the Operators documentation for their CY2020 leak survey indicated that there were multiple locations which had been identified as having moderate atmospheric corrosion; however, the Operator had no documentation which indicated that any of these deficiencies had been remediated as required by §192.481(c) and their O & M procedures.

PROBABLE VIOLATION: The City of Lumpkin failed to provide protection against the atmospheric corrosion which was found in their CY2020 leak survey.

- c. CODE REFERENCE: 49CFR, §192.625 - Odorization of gas.
(f) To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

STAFFS COMMENTS: In Section 12U of the City of Lumpkin O&M procedures manual it states:

- “(a) All gas contained in the City of Lumpkin gas system will be odorized so that at a concentration in air of one-fifth of the lower explosive limit, the gas is readily detectable by a person with a normal sense of smell.
(c) City of Lumpkin will assure the proper concentration of odorant in accordance with this Section by conducting quarterly, not to exceed 120 days, or more frequent sampling of combustible gases using an instrument”

The O&M procedure in Section 12U also states that OQ Procedure #1211 applies to the sampling of odorant. In OQ Procedure #1211 it states: “This activity is a covered task under the Operator Qualification Plan and may only be performed by or directed and observed by an individual who is currently qualified to perform periodic odorization sampling. Refer to the OQ Plan for specific qualification requirements.”

During this inspection Staff found that the City of Lumpkin does not own a machine for performing sampling of their odorant. The City of Lumpkin relies on their consultant to perform periodic sampling; however, Staff found, as noted in the probable violation of §192.805 cited above, that the contractor who has been performing this function was not qualified under Lumpkin’s OQ program, and therefore the readings performed by this individual are all suspect.

PROBABLE VIOLATION: The City of Lumpkin failed to assure the proper concentration of odorant in accordance with the requirements of §192.625(f) and their procedures.

5. CODE REFERENCE: 49CFR, §192.453 - General
The corrosion control procedures required by §192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

STAFFS COMMENTS: During this inspection (JJ20-050) Staff noted that the contract individual (City Services) who has been performing the corrosion control procedures had not been qualified under the City of Lumpkin’s OQ program. There was also no evidence that the City of Lumpkin had reviewed their new contractor’s procedures to ensure that they were consistent with their procedures.

Staff also noted that the personnel responsible for the design, installation, operation, and maintenance of Lumpkin’s cathodic protection systems are identified in Section 9(a) of their Operations and Maintenance Procedures Manual. During this inspection Staff found that the City of Lumpkin had changed CP contractors. The new CP contractor was making changes to the identified test points and the output levels of the rectifier; however, this individual was not identified as being assigned responsibility for the operation or maintenance of the CP system.

Staff noted that this individual was not performing the annual CP surveys at the previously identified test points, and could not provide a valid justification for the changing of the test points from year to year. When questioned by Staff the individual advised that he was changing test points to meet the requirements of §192.465(a). Staff advised the individual that the 10% sampling mentioned in §192.465(a) was not applicable to the annual monitoring of the CP system.

PROBABLE VIOLATION: The City of Lumpkin failed to ensure that the corrosion control procedures required by §192.605(b)(2) and their O&M procedures were carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

6. 49CFR §192.181 - Distribution line valves.

- (b) Each regulator station controlling the flow or pressure of gas in a distribution system must have a valve installed on the inlet piping at a distance from the regulator station sufficient to permit the operation of the valve during an emergency that might preclude access to the station.

STAFFS COMMENTS: During the field inspection Staff determined that Lumpkin's take station does not have an inlet valve installed at a distance from the station that would permit the operation of the valve during an emergency situation. The Operators representative indicated that this station was modified within the last few years to add a relief valve. Based on this information Staff does not believe that this station is operating under the "Grandfather clause" and should have been brought up to the current minimum standards at the time the relief valve was installed.

PROBABLE VIOLATION: The City of Lumpkin does not have a valve at their take station installed on the inlet piping at a distance from the regulator station sufficient to permit the operation of the valve during an emergency that might preclude access to the station.

7. 49CFR, §192.615 Emergency plans.

- (c) Each operator shall establish and maintain liaison with appropriate fire, police, and other public officials to:
- (1) Learn the responsibility and resources of each government organization that may respond to a gas pipeline emergency;
 - (2) Acquaint the officials with the operator's ability in responding to a gas pipeline emergency;
 - (3) Identify the types of gas pipeline emergencies of which the operator notifies the officials; and,
 - (4) Plan how the operator and officials can engage in mutual assistance to minimize hazards to life or property.

STAFFS COMMENTS: During this inspection Staff requested documentation from the Operator for their liaison activities for CY's 2016 to 2021. The Operator could not provide any evidence that they had conducted their liaison activities.

PROBABLE VIOLATION: The City of Lumpkin failed to establish and maintain liaison with appropriate fire, police, and other public officials as required by §192.615(c).

8. CODE REFERENCE: 49CFR, §192.481 Atmospheric corrosion control: Monitoring.

- (c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by Sec. 192.479.

STAFFS COMMENTS: In Section 9(p) of the City of Lumpkin's O&M procedures it states in Item (c): "If atmospheric corrosion is found during an inspection, City of Lumpkin must provide protection against the corrosion as required by Section 9-0 of this Manual."

Staff found that during the Operators leak survey and atmospheric corrosion survey that was conducted on August 26, 2020 the riser at the Broad Street car wash was found to have moderate atmospheric corrosion. During this inspection Staff performed a field review of this location and found that the Operator had not corrected this deficiency.

PROBABLE VIOLATION: The City of Lumpkin failed to correct the atmospheric corrosion deficiency they noted at the Broad Street car wash.

OBSERVED ISSUE

1. 49CFR, §191.11 Distribution system: Annual report.
 - (a) General. Except as provided in paragraph (b) of this section, each operator of a distribution pipeline system must submit an annual report for that system on DOT Form PHMSA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.

STAFFS COMMENTS: The instructions for the DOT Form PHMSA F 7100.1-1 state that in Part G of the form operators are to state the amount of unaccounted for gas as a percent of total consumption for the 12 months ending June 30 of the reporting year. Historically gained gas had been reported as 0%.

OBSERVED ISSUE: During this inspection Staff reviewed the City of Lumpkin's actual numbers for gas purchased and gas billed. Staff noted that for the period of July 2020 to June 2021 the City of Lumpkin billed for approximately 6% more gas than they purchased.

2. 49CFR §192.743 - Pressure limiting and regulating stations: Capacity of relief devices.
 - (a) Pressure relief devices at pressure limiting stations and pressure regulating stations must have sufficient capacity to protect the facilities to which they are connected. Except as provided in §192.739(b), the capacity must be consistent with the pressure limits of §192.201(a). This capacity must be determined at intervals not exceeding 15 months, but at least once each calendar year, by testing the devices in place or by review and calculations

COMMENTS: While reviewing regulator station inspection records Staff found no evidence that relief capacities had been determined for sufficient capacity prior to 2020.

OBSERVED ISSUE: The City of Lumpkin failed to demonstrate that the relief device at their regulator station had sufficient capacity prior to 2020.

In addition to the comprehensive inspection Staff conducted four (3) Operator Qualification Protocol 9 field reviews. Staff observed Willie Clark Gas Supervisor as he performed Task # 0301: – Manually Opening and Closing Valves. Staff observed Mike Robinson, Assistant Supervisor as he performed Task #1241: Outside Gas Leak Investigation, and Staff also observed Fred Thomas performed Task #1291- Locate Underground Pipeline.

The Operator provided the current qualification records for the individuals before they performed each of the covered tasks. During the field reviews, Staff verified that Mr. Clark and Mr. Robinson were able to

CITY OF LUMPKIN / COMPREHENSIVE INSPECTION
INSPECTION NUMBER JJ21-050 / DOCKET NUMBER 37066

perform each task by following the company approved procedures and that they were able to identify the abnormal conditions associated with each task and explain a course of action to mitigate the condition. However; Mr. Thomas was unable to perform the task of 'locating underground pipelines according' to the operators procedures.

PROPOSED CIVIL PENALTY

Under Commission Rule 515-9-1.01, by virtue of the authority vested in the Commission by law and pursuant to orders issued by the Commission on May 4, 1967, July 6, 1967, April 23, 1968, and October 29, 1970, all Rules and Regulations prescribed by the United States Department of Transportation applicable to the "Transportation of Natural and Other Gas by Pipeline: Minimum Safety Standards" (C.F.R. 49, Parts 191 and 192) are by this Rule made the Rules and Regulations of the Georgia Public Service Commission for the safe installation and operation of all natural gas transmission and distribution facilities by companies subject to the jurisdiction of the Commission within this State.

Under Commission Rule 515-9-3-.08 (Written Formal Notice of Violation), the Commission may propose a civil penalty in conjunction with this notice of probable violation. Further, the City of Lumpkin is subject to civil penalties under O.C.G.A. § 46-2-91(b) which states that: Any operator which violates any rule or regulation of the commission prescribed pursuant to subsection (i) of Code Section 46-2-20, or which fails, neglects, or refuses to comply with any order after notice thereof, shall be liable to a penalty not to exceed the maximum penalties provided for in 49 C.F.R. Section 190.223.

Staff has reviewed the circumstances surrounding the violations cited in this report and has recommended the civil penalty/penalties listed below. Please note that this recommended amount is less than the amount authorized by Georgia law.

Item #	Code / Rule	Description	Proposed Penalty
1	§192.467(c)	Electrical Isolation	\$2,500.00
2	§192.805(b)	Qualification Program	\$2,500.00
4.c	§192.605(a)/§192.625(f)	Odorization Testing	\$2,500.00
7	§192.615(c)	Liaison	\$2,500.00
TOTAL PROPOSED PENALTY			\$10,000.00

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Letters Issued by the Georgia Public Service Commission.

OPERATOR RESPONSE FORM

Operator Name: CITY OF LUMPKIN GAS DEPARTMENT

Informal Conference Requested: Yes No

Docket Number: 37066

Responses required within **30 days of electronic mail**. Provide the following information for this report:

Response to Inspection Number: _____

Type of Enforcement Action(s) cited in report:

Informal Conference Requested

- | | | |
|--|--|--|
| <input type="checkbox"/> Notice of Probable Violation (NOPV) | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Notice of Amendment (NOA) | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Warning Letter | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Letter of Concern | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Observed Issue | <input type="checkbox"/> New <input type="checkbox"/> Continuing | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Proposed Civil Penalty | \$ _____ | |

PCP \$ Amount (Total for report)

Indicate below (A-E) based on the type of Enforcement Actions in this report: (Check all that apply)
Complete a separate copy of Page 2, Operator Response to Enforcement Action, for each cited item.

A. Response for **Notice of Probable Violation** (with and without proposed civil penalty):

- Written statement indicating that corrective measures have achieved Compliance or
- Written plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated.

B. Response for **NOA**:

- Contested: Attach written explanation, information, or other material in answer to the allegations in the Notice of Amendment stating your reasons for objecting to the NOA, in whole or in part; or
- Not Contested: Explanation, information, or other material believed to warrant modification of the NOA in whole or in part; or
- Written request for clarification. (Attached)

C. Response for **Continuing** and/or **Existing** violations:

Current status, updates, expected completion dates, proposed modifications, etc., of the continuing and/or existing violations, even if this information was previously provided. Referencing a previously filed response letter, as status, updates, etc. alone is not sufficient for this response. Failure to provide this information may result in formal interrogatories from the Director through data requests.

D. Response for **Letter of Concern** / **Warning Letter**

I acknowledge receipt of the Letter of Concern/Warning Letter: _____

SIGNATURE / TITLE

Additional Comments: (Optional) _____

E. Response for **Observed Issue** and **No Violation**: (Optional Response)

Staff requests that the Operator acknowledge receipt of the Observed Issue/No Violation in writing, or by submitting an email to the FPU Director

Operator Response to Enforcement Action

Enforcement Action for: _____ New Violation Continuing Violation
Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:

- Notice of Probable Violation (NOPV)
- Notice of Amendment (NOA)
- Warning Letter
- Letter of Concern
- Observed Issue
- Proposed Civil Penalty

Conference Requested:

- Yes No
- Yes No
- Yes No
- Yes No
- Yes No
- Yes No

\$ _____
Proposed Penalty for this violation

OPERATORS RESPONSE: _____

Response Provided by: _____
Name / Title

Date: _____

Internal use only:

Lead Inspector: _____ Date Response Reviewed: _____

Actions Acceptable: Yes No Re-inspection Needed: Yes No Clear Violation: Yes No

Supervisor Review by: _____ Date Reviewed: _____

Additional Enforcement Recommended: Yes No

Director Review

Approved: Yes No

Schedule Special Follow-up Inspection: Yes No

Cleared Violation: Yes No

Comments: _____

OPERATOR RESPONSE FORM

Operator Name: City of Lumpkin

Informal Conference Requested: Yes No

Docket Number: 37066

Filings:

For all written responses or any other official correspondence, the Operator shall file the response at the following address:

Ms. Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

The Operator must file **five (5)** copies of any response and/or official correspondence, as well as a CD with an electronic version of the response in Microsoft Word and/or a PDF, if applicable.

Informal Conference:

Any Operator who chooses to request an informal conference shall request such a conference through emailing the Director (michellet@psc.state.ga.us), calling the Director (404-463-2765), or selecting the "Request Conference" choice.

Civil Penalty Payments:

Certified check for the full amount of the recommended civil penalty or consent agreement amount made payable to the Georgia Public Service Commission. The Operator's name, applicable Docket No., and Inspection Report No. must be included on the certified check. Mail payment to:

Ms. Michelle Thebert, Director, Facilities Protection Unit
Georgia Public Service Commission
244 Washington Street
Atlanta, Georgia 30334

Hearing Requests:

The Operator has the right to request a hearing before the full Commission to contest the alleged probable violations, recommended civil penalties, and all other proposed actions of enforcement. A request for a hearing must be submitted in writing and in accordance with Commission Rule 515-2-1-.04. The Operator must include a statement of the issues that you intend to raise at the hearing. The issues may relate to the allegations, new information, proposed compliance order, proposed civil penalty, or any other recommendation for enforcement action. Please refer to Commission Rule 515-9-3-.11 and O.C.G.A. § 46-2-91 for assessment considerations upon which civil penalties are based. An operator's failure to specify an issue may result in a waiver of the right to raise that issue at hearing. The request must also indicate whether or not the Operator will be represented by counsel at the hearing.

Open Records and Trade Secret Filings:

The Operator is advised that any material provided to the Commission, and all materials prepared by the Commission, including the Notice of Probable Violations and any Orders issued in this case, may be considered public information and subject to disclosure under the Georgia Open Records Act (O.C.G.A. § 50-18-70 et seq.). If you believe that any portion of your response material is security sensitive, privileged, confidential or may cause your company competitive disadvantages and would qualify for protection under the Commission's "Trade Secret Rule" (Commission Rule 515-3-1-.11), you must, along with the complete original document clearly marked "TRADE SECRET" on each page, provide a second copy of the document with the portions you believe qualify for trade secret treatment redacted, and an explanation of why you believe the redacted information qualifies for such trade secret treatment. Should the Commission receive a request for disclosure of any "TRADE SECRET" material, you will be notified, if after review, the materials and your provided justification are deemed not to meet any exemptions provided in the Georgia Open Records Act. You may appeal the Commission's decision to release material at that time. Your appeal will stay the release of those materials until a final decision is made.

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:)
)
Probable Violation Report; Probable) DOCKET NO. 37066
Violation with Proposed Civil Penalty; and)
Observed Issue)
City of Lumpkin Gas Department)
Inspection JJ21-050 on October 19, 2021)

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have caused to be served a copy of the foregoing, and a copy of same was served upon all parties and persons listed below via electronic mail as indicated by an asterisk I further certify that the *City of Lumpkin Gas Department* was served a hard copy of the above-stated document by U.S. Mail, certified/return receipt requested.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

*David Davis, City Manager
City of Lumpkin Gas Department
P.O. Box 278
Lumpkin, GA 31815
ddavis@cityoflumpkin.org

*Michelle Thebert, Facilities Protection Unit Director
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Respectfully Submitted this 1st day of February 2022:



Cathy Nesbitt, Administrative Assistant
Georgia Public Service Commission
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